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3 **RESOLUTION NO. 2019-29**  
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5 **A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF**  
6 **BISCAYNE PARK, FLORIDA; ADDING A SECOND COMMISSION**  
7 **VACANCY TO UPCOMING SPECIAL ELECTION SCHEDULED FOR**  
8 **JANUARY 7, 2020; PROVIDING FOR SEVERABILITY; PROVIDING FOR**  
9 **AN EFFECTIVE DATE.**  
10

11 **WHEREAS**, on November 6, 2016, Jenny Johnson-Sardella was elected to serve as an  
12 at-large member of the Village Commission of the Village of Biscayne Park, Florida (the  
13 “Village”) for a four (4) year term commencing on November 2016 and ending in November  
14 2020;

15 **WHEREAS**, on November 6, 2019, the Village Manager received a written notice of  
16 resignation for this commission seat, effective November 6, 2019;

17 **WHEREAS**, the Village Manager promptly notified the Village Commission of the  
18 resignation and vacancy during a special commission meeting held on November 8, 2019;

19 **WHEREAS**, more than six (6) months are remaining in this unexpired Commission  
20 term; and

21 **WHEREAS**, Section 2.05 of the Village Charter requires such a vacancy to be filled  
22 pursuant to a special election to occur within forty-five (45) days from the date from the date of  
23 said vacancy, or as soon as allowed by the Miami-Dade County Supervisor of Elections  
24 (“Miami-Dade SOE”), but in no case to exceed ninety (90) days; and

25 **WHEREAS**, Section 5.01 of the Village Charter, states that special elections, when  
26 required, shall be scheduled by the Commission at such times and in such manner as shall be  
27 consistent with the Village Charter; and

28 **WHEREAS**, Section 100.151, Florida Statutes requires the Village to first provide notice  
29 to the Miami-Dade SOE of the need to call a special election to obtain consent as to an election  
30 date prior to calling the special election; and

1           **WHEREAS**, Miami-Dade SOE previously approved the Village’s special election date  
2 of January 7, 2020 to fill a commission vacancy resulting from the October 2019 resignation of  
3 former-commissioner Laura Betsy Wise;

4           **WHEREAS**, the Village Commission has determined that both recent Commission  
5 vacancies should be filled by a qualified candidate during the January 7, 2020 special election;

6           **WHEREAS**, Section 100.342, Florida Statutes, requires the Village to publish notice of  
7 the special election in a newspaper of general circulation within the Village at least twice, once  
8 in the fifth week and once in the third week prior to the week in which the special election is to  
9 be held; and

10       **NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COMMISSION OF THE**  
11 **VILLAGE OF BISCAYNE PARK, FLORIDA, that:**

12       **Section 1.     Recitals.** The above recitals are confirmed, adopted, and incorporated  
13 herein and made a part hereof by this reference.

14       **Section 2.     Second Commission Vacancy Added to Upcoming Special Election.** In  
15 accordance with the provisions of the Village Charter and the applicable laws of the State of  
16 Florida, the recent commission vacancy resulting from the resignation of Jenny Johnson-Sardella  
17 shall be added to the ballot of the Village’s upcoming January 7, 2020 special election.

18       **Section 3.     Candidate Qualifying.** The candidate qualifying period provided in  
19 Village Resolution No. 2019-26 shall also apply to this commission vacancy.

20       **Section 4.     Amended Notice of Special Election.** The Village Commission’s prior  
21 directive in Resolution No. 2019-26 regarding notice of special election is amended as provided  
22 herein. The Village Clerk shall publish the attached Notice of Special Election which is attached  
23 hereto as Exhibit ‘A’.

24       **Section 5.     Polling Location.** The polling location provided in Resolution No. 2019-  
25 26 shall remain in effect for the special election.

1           **Section 6. Registration to Vote.** The voter registration provisions provided in  
2 Resolution No. 2019-26 shall remain in effect for the special election.

3           **Section 7. Absentee Voters.** The absentee voters participating in said special  
4 election shall be entitled to cast their ballot in accordance with the provisions of the Law of the  
5 State of Florida with respect to absentee voting.

6           **Section 8. Election Expenses.** The Village of Biscayne Park, Florida shall pay all  
7 expenses for conducting this special election and will pay such expenses to Miami-Dade County  
8 or directly to all persons or firms, upon receipt of invoice or statement approved by the Miami-  
9 Dade County SOE.

10          **Section 9. Authorization of Village Officials.** The Village Manager, Village  
11 Attorney, and Village Clerk are hereby authorized to take all steps necessary to complete the  
12 execution and implementation of the terms and purposes of this Resolution.

13          **Section 10. Village Canvassing Board.** The special election shall be canvassed by  
14 the Village Canvassing Board, in accordance with Section 2-33 of the Village Code.

15          **Section 11. Severability.** If any section, sentence, clause or phrase herein is held to  
16 be invalid by any court of competent jurisdiction, then said holding shall in no way affect the  
17 validity of the remaining portions of this Resolution.

18          **Section 12. Effective Date.** This Resolution shall become effective immediately upon  
19 its adoption.  
20

1 **PASSED AND ADOPTED** this 8<sup>th</sup> day of November, 2019.

2  
3 Motion by Commissioner \_\_\_\_\_, second by Commissioner \_\_\_\_\_.

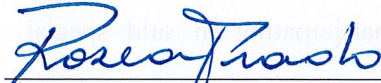
4  
5 The foregoing resolution upon being  
6 put to a vote, the vote was as follows:

7  
8 Mayor Truppmann:

9 Vice-Mayor Samaria:

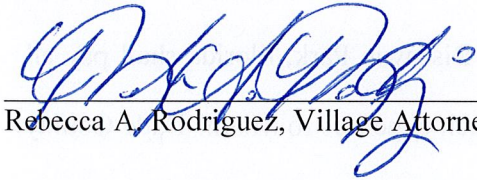
10 Commissioner Tudor:

11 Attest:

12  
13 

14 Roseann Prado, Village Clerk

15  
16  
17 **Approved as to form:**

18  
19 

20 Rebecca A. Rodriguez, Village Attorney



**VILLAGE OF BISCAYNE PARK, FLORIDA  
NOTICE OF SPECIAL ELECTION  
ON TUESDAY, JANUARY 07, 2020**

**PUBLIC NOTICE IS HEREBY GIVEN THAT THE VILLAGE OF BISCAYNE PARK, FLORIDA (THE "VILLAGE"), WILL CALL A SPECIAL ELECTION ON TUESDAY, JANUARY 07, 2020, AT WHICH TIME THE QUALIFIED ELECTORATE OF THE VILLAGE SHALL VOTE TO FILL TWO (2) VACANT AT-LARGE SEATS ON THE VILLAGE COMMISSION WITH QUALIFYING CANDIDATES.**

**FOR ADDITIONAL INFORMATION, PLEASE CONTACT THE VILLAGE CLERK FOR THE VILLAGE OF BISCAYNE PARK VIA EMAIL AT [VILLAGECLERK@BISCAYNEPARKFL.GOV](mailto:VILLAGECLERK@BISCAYNEPARKFL.GOV) OR BY PHONE AT (305) 899-8000.**

**VILLAGE OF BISCAYNE PARK, FLORIDA  
SCHEDULED PUBLICATION DATES FOR  
NOTICE OF JANUARY 7, 2020 SPECIAL ELECTION**

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**Thursday, October 31, 2019 in Daily Business Review**

**Friday, November 1, 2019 in Daily Business Review**

**Tuesday, December 3, 2019 in Daily Business Review**

**Tuesday, December 17, 2019 in Daily Business Review**